

Frequently Asked Questions Regarding the NOAA Fisheries' Determination Not to List Atlantic White Marlin under the Endangered Species Act

Q. Where does Atlantic white marlin live?

A. The Atlantic white marlin, *Tetrapturus albidus*, is found in offshore waters throughout the tropical and temperate Atlantic Ocean and adjacent seas. Unlike blue marlin and sailfish, white marlin occur only in the Atlantic Ocean. Although generally considered to be a rare and solitary species relative to other similar fish, white marlin occur in small groups consisting of several individuals.

Q. Why did NOAA Fisheries conduct a status review of Atlantic white marlin?

A. The Endangered Species Act of 1973, as amended (ESA) allows any member of the public to petition the Fish and Wildlife Service or the National Marine Fisheries Service (NOAA Fisheries) to list, delist or reclassify species, or to revise a listed species' critical habitat. On September 4, 2001 NOAA Fisheries received a petition to list the Atlantic white marlin as threatened or endangered throughout its range and to designate critical habitat. The petition contained substantial information that listing white marlin may be warranted, therefore, NOAA Fisheries was obligated to conduct a status review of the species.

Q. How did NOAA Fisheries conduct the status review?

A. NOAA Fisheries assembled a team of managers and scientists to conduct a review of the status of white marlin. The status review team (SRT) summarized all available biological information on white marlin, reviewed public comments, and conducted analyses to predict population trends under various scenarios. The SRT focused their report on the five factors for listing outlined in the ESA.

Q. What are the criteria for listing a species under the ESA?

A. The ESA provides five listing factors, including: 1) the present or threatened destruction, modification, or curtailment of its habitat or range; (2) overutilization for commercial, recreational, scientific, or educational purposes; (3) disease or predation; (4) the inadequacy of existing regulatory mechanisms; and (5) other natural or manmade factors affecting its continued existence. The ESA does not provide any quantitative criteria for listing decisions.

Q. What was the conclusion reached by the status review team regarding the five ESA listing factors?

A. The SRT noted two listing factors of concern for white marlin: overutilization and the inadequacy of existing regulatory measures. White marlin are overfished and overfishing continues to occur. The SRT concluded that the stock has not declined to levels at which it is now in danger of extinction; however, unless fishing mortality is reduced significantly and relatively quickly the stock could decline to a level that would warrant ESA protection.

Q. How did NOAA Fisheries reach its decision?

A. This decision was reached by evaluating the best scientific and commercial information, including the status review document, as well as public comments and information received during the comment period on the 90-day finding and during the 11 public scoping meetings. NOAA Fisheries considered both the current status of the species and the possibility of further declines. This information indicates that white marlin have declined, but they are not at a level that merits ESA protection. NOAA Fisheries believes management measures already implemented, both domestically through NOAA Fisheries and internationally through the International Commission for the Conservation of Atlantic Tunas (ICCAT), will reduce Atlantic white marlin mortality. Several additional years of ICCAT data reporting will likely be needed to assess progress toward rebuilding.

Q. The listing decision states that Atlantic white marlin will be added to the “ESA Candidate Species List”. What does this mean?

A. The NOAA Fisheries ESA candidate species list is a list of species for which we have some concern. This concern may be due to a number of reasons, including population declines and loss of habitat. Most candidate species have not been evaluated for ESA listing, often due to lack of information. In other cases, as with white marlin, NOAA Fisheries has classified a species as a “candidate” following an ESA status review when the information indicates that ESA listing is not warranted, but concerns remain. Being classified as a NOAA Fisheries “candidate” does not provide any additional regulatory protection to a species.

It is important to point out that the Fish and Wildlife Service (FWS) also has a “candidate species list.” However, the FWS definition of “candidate” is very different from that of NOAA Fisheries and the two lists should not be confused. Each FWS candidate species has undergone a status review and was found warranted for ESA protection. Again, the NOAA Fisheries candidate species list is just a list of species for which we have concern.

Q. Why has the Atlantic white marlin population declined?

A. The main source of fishing mortality for Atlantic white marlin is incidental catch in foreign longline fisheries. The United States accounts for only approximately five percent of the total fishing mortality. U.S. commercial fishermen are required to release all marlin, however some are discarded dead. There are some Atlantic white marlin landings in the U.S. recreational fishery; however, the vast majority are released.

Q. What specific regulations has NOAA Fisheries put in place domestically to rebuild Atlantic white marlin?

A. Domestic regulatory measures include the following:

- In 1988, NOAA Fisheries implemented a fishery management plan that prohibited sale of Atlantic billfish, including white marlin, creating a recreational-only fishery in U.S. Atlantic waters and implemented minimum sizes.
- In 1998, NOAA Fisheries increased the recreational minimum size limit for Atlantic white marlin from 62 inches lower jaw fork length (LJFL) to 66 inches LJFL.
- Effective in 2001, NOAA Fisheries established extensive time-area closures for the pelagic longline fishery in U.S. waters along the Atlantic coast and in the Gulf of Mexico and adopted a prohibition of the use of live bait in the Gulf of Mexico that was specifically aimed at reducing Atlantic billfish mortality.
- In 2002, NOAA Fisheries published a proposed rule to improve monitoring of Atlantic marlin catches in the U.S. recreational fishery. The final rule will be issued in the near future.

Q. What recent conservation measures have been adopted internationally?

A. Conservation measures adopted internationally include the following:

- In 1997, ICCAT required all member nations to reduce landings of Atlantic white marlin by 25%, with this reduction to be accomplished by 1999. This measure was extended to apply through 2000.
- In 2000, ICCAT required contracting parties to reduce landings of Atlantic white marlin by 67% from 1999 levels and also made the release of live marlin mandatory with the exception of the recreational fishery in the United States. This binding recommendation limited U.S. landings in the recreational fishery to 250 fish per year (blue and white marlin combined). There are also provisions to record catch composition and the number of live and dead releases, improve catch and catch-at-size reporting, improve observer coverage, and adopt minimum sizes in recreational fisheries.

Q. Will current domestic and international efforts be enough to stop the decline of the Atlantic white marlin population?

A. We believe that current efforts will reduce the mortality of white marlin. However, the most recent measures were not implemented by ICCAT member nations until 2001. Therefore, the new regulations have not been in effect long enough to determine if they will be sufficient to rebuild Atlantic white marlin. NOAA scientists will carefully monitor the results of conservation efforts already underway, and a full ESA review will be conducted in five years. If the 2007 status review indicates that ICCAT and U.S. management measures have been ineffective in reducing the fishing mortality, NOAA Fisheries would likely propose to list this species under the ESA.

Q. What else does NOAA Fisheries plan to do to rebuild Atlantic white marlin?

A. NOAA Fisheries will continue to strengthen its program for the conservation and management of white marlin. Domestic management measures we will be considering include improvements to data collection and the release of all Atlantic white marlin. At ICCAT, this fall, NOAA Fisheries will consider the latest scientific advice and continue to aggressively pursue any additional conservation measures necessary for rebuilding. We are now in the process of considering management measures to pursue this year at ICCAT, such as evaluating the potential for international time area closures. Improvements to monitoring and evaluation of compliance are essential components of our strategy.